

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/18/09

-----X
EM LTD.,

Plaintiff,

- against -

THE REPUBLIC OF ARGENTINA,

Defendant.
-----X

03 Civ. 2507 (TPG)

ORDER

NML CAPITAL, LTD.,

Plaintiff,

- against -

THE REPUBLIC OF ARGENTINA,

Defendant.
-----X

03 Civ. 8845 (TPG)

05 Civ. 2434 (TPG)

06 Civ. 6466 (TPG)

07 Civ. 1910 (TPG)

As stated in an opinion being issued concurrently with this order, plaintiffs' "Motion to Confirm Ex Parte Restraining and Attachment Orders Dated May 22, 2007 Directed to Interests of the Republic of Argentina in a Trust Administered by U.S. Bank Trust National Association," which was filed on June 18, 2007 as document number 152 in case 03 Civ. 2507, is granted. Banco de la Nación Argentina's "Motion to Vacate Ex Parte Attachment and Restraining Orders," which was filed on July 20, 2007 as document number 156 in case 03 Civ. 2507, is denied. The corresponding three orders signed on May 22, 2007

are therefore confirmed: the Ex Parte Order of Attachment and Temporary Restraining Order in cases 05 Civ. 2434, 06 Civ. 6466, and 07 Civ. 1910, which refers to the “BH Options Trust” on page 3; the Ex Parte Restraining Order in case 03 Civ. 2507, which refers to the “BH Options Trust” on pages 4 and 5; and the Ex Parte Restraining Order in case 03 Civ. 8845, which refers to the “BH Options Trust” on pages 4 and 5.

As stated in plaintiffs’ letter to the court dated August 4, 2009, plaintiffs have withdrawn their “Motion to Confirm Ex Parte Restraining and Attachment Orders Entered on May 22, 2007 Directed to Assets Held by the Republic of Argentina in Thirteen Argentine ‘Fiduciary Funds,’” which was filed on June 18, 2007 as document number 151 in case 03 Civ. 2507. That motion is therefore denied as moot, and the corresponding three orders signed on May 22, 2007 are vacated: the Ex Parte Order of Attachment and Temporary Restraining Order in cases 05 Civ. 2434, 06 Civ. 6466, and 07 Civ. 1910, which lists on pages 3 and 4 the names of thirteen funds “held in the name of Banco de la Nación Argentina”; the Ex Parte Restraining Order in case 03 Civ. 2507, which lists the names of those thirteen funds on pages 4 and 5; and the Ex Parte Restraining Order in case 03 Civ. 8845, which lists the names of those thirteen funds on page 4.

The Clerk of the Court is directed to:

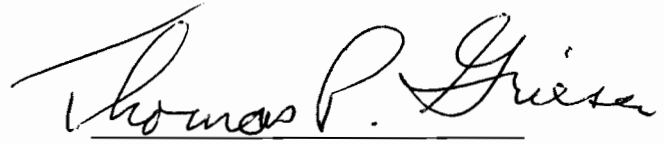
- (1) Unseal and docket the following documents:

Case	Document Numbers
03 Civ. 2507	141, 142, 143, 144, 145, 146, 147, 149, 150, 151, 152, 153, 155, 156, 157, 158, 160, and 161
03 Civ. 8845	96 and 97
05 Civ. 2434	58, 59, 60, and 61
06 Civ. 6466	(none)
07 Civ. 1910	8, 9, 10, 11, 12, and 13

- (2) Note on the dockets of cases 03 Civ. 8845, 05 Civ. 2434, 06 Civ. 6466, and 07 Civ. 1910 that documents 141, 142, 143, 144, 145, 146, 147, 149, 150, 151, 152, 153, 155, 156, 157, 158, 160, and 161 were filed in case 03 Civ. 2507;
- (3) Note on the dockets of cases 03 Civ. 2507, 05 Civ. 2434, 06 Civ. 6466, and 07 Civ. 1910 that documents 96 and 97 were filed in case 03 Civ. 8845;
- (4) Note on the dockets of cases 03 Civ. 2507, 03 Civ. 8845, 06 Civ. 6466, and 07 Civ. 1910 that documents 58, 59, 60, and 61 were filed in case 05 Civ. 2434;
- (5) Note on the dockets of cases 03 Civ. 2507, 03 Civ. 8845, 05 Civ. 2434, and 06 Civ. 6466 that documents 8, 9, 10, 11, 12, and 13 were filed in case 07 Civ. 1910; and
- (6) Terminate the motions that were filed in case 03 Civ. 2507 as document numbers 151, 152, and 156.

SO ORDERED.

Dated: New York, New York
August 17, 2009

A handwritten signature in cursive script, reading "Thomas P. Griesa". The signature is written in black ink and is positioned above a horizontal line.

Thomas P. Griesa
U.S.D.J.